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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/632,160

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Yoshiko Mikami

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CAREY, RODRIGUEZ, GREENBERG & PAUL, LLP

STEVEN M. GREENBERG

950 PENINSULA CORPORATE CIRCLE

SUITE 3020

BOCA RATON, FL 33487

EXAMINER

WHIPPLE, BRIAN P

ART UNIT

PAPER NUMBER

2152

MAIL DATE

DELIVERY MODE

03/18/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/632,160	Applicant(s) MIKAMI, YOSHIKO	
	Examiner Brian P. Whipple	Art Unit 2152	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 August 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-11 are pending in this application and presented for examination.
2. In view of the appeal brief filed on 08/30/07, PROSECUTION IS HEREBY REOPENED. New grounds of rejection are set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by signing below:

/Bunjob Jaroenchonwanit/

Supervisory Patent Examiner, Art Unit 2152

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gatz et al. (Gatz), U.S. Publication No. 2002/0049806 A1, in view of Walker et al. (Walker), U.S. Patent No. 6,286,001 B1.

5. As to claim 1, Gatz discloses a method for use in a network system comprising:

storing at a host computer profile information relating to individual users of the host computer ([0046], ln. 1-4; [0049], ln. 1-9),

the profile information for a first user and a second user identifying host applications that the first user and the second user, respectively, are permitted to execute ([0014], ln. 1-4; [0049], ln. 14-17; [0071]; [0073]; [0074], ln. 8-12; [0075]),

in response to a request from the first user identifying a list of one or more applications that the first user is permitted to execute, storing the list in the profile of the

second user, whereby the second user is permitted to execute the applications in the list under control of the first user ([0014], ln. 1-4; [0049], ln. 14-17; [0071]; [0073]; [0074], ln. 8-12; [0075]; a parent has control, through an account based access control system, of access to an information network and may allow no, limited, or full access by a child to applications such as email, chatrooms, message boards, and online shopping; the parent identifies a list of applications that the child is allowed to access, and the parent is allowed to access due to full access rights, under the control of the parent).

It may be argued that the parent does not inherently have access to the applications of the child. However, this is a minor and obvious scenario. A parent controlling a child's access to applications, where the parent has access to the applications, is extremely well known in the art. Often, the child has access to applications due to a parent's past experience with them. For example, a common scenario is a parent getting an AOL account and then assigning one of the available screen names to a child. Therefore, both the parent and the child would have access to programs such as IM, email, chat rooms, etc. Walker discloses one scenario where a parent has access to all applications, including a browser, using a parental password, but where the child has been limited to only the browser application through the use of said password (Col. 9, ln. 61 – Col. 10, ln. 4).

Walker discloses permitting a first user to execute the programs being controlled by the first user for the second user (Col. 9, ln. 61 – Col. 10, ln. 4).

It would have been obvious to one of ordinary skill in the art to modify the teachings of Gatz by permitting a first user to execute the programs being controlled by the first user for the second user as taught by Walker in order to allow a user to access desired programs.

6. As to claims 5 and 9, the claims are rejected for the same reasons as claim 1 above.

7. As to claims 2 and 6, Gatz and Walker disclose the invention substantially as in the parent claim, including the host computer executes any version of the HTTP protocol (Gatz: [0043], ln. 5-10).

8. As to claims 3, 7, and 10, Gatz and Walker disclose the invention substantially as in the parent claim, including an application in the list when executed performs a service from the second user to the first user (Gatz: [0049], ln. 14-17; a child, the second user, may execute unblocked applications; a record is kept of the child's activities and provided to the parent, the first user; providing a log from a child to a parent is performing a service from the second user to the first user).

9. As to claims 4, 8, and 11, Gatz and Walker disclose the invention substantially as in the parent claim, including storing in the profile of the second user attributes that affect the execution of an application in the list (Gatz:[0073]).

Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian P. Whipple whose telephone number is (571)270-1244. The examiner can normally be reached on Mon-Fri (8:30 AM to 5:00 PM EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on (571) 272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Brian P. Whipple
/B. P. W./
Examiner, Art Unit 2152
3/13/08

/Bunjob Jaroenchonwanit/
Supervisory Patent Examiner, Art Unit 2152